

BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation)
Against:)

CONRAD S. MILLER, M.D.)
Certificate No. G-23381)

No. 16-94-33589

Respondent.)
_____)

DECISION

The attached Stipulation in Settlement is hereby adopted by the Division of Medical Quality as its Decision in the above-entitled matter.

This Decision shall become effective on Nov. 22, 1995.

IT IS OR ORDERED Oct. 23, 1995.

By:


KAREN MCELLIOTT

President

Division of Medical Quality

1 DANIEL E. LUNGREN, Attorney General
of the State of California
2 JANA L. TUTON
Supervising Deputy Attorney General
3 ROBERT C. MILLER
Deputy Attorney General
4 1300 I Street, Suite 125
P. O. Box 944255
5 Sacramento, California 94244-2550
Telephone: (916) 324-5161

6
7 Attorneys for Complainant

8 BEFORE THE
9 DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
10 DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

11
12 In the Matter of the Accusation) No. 16-94-33589
Against:)
13) STIPULATION IN SETTLEMENT
CONRAD STEPHEN MILLER, M.D.)
14 P. O. BOX 180)
Water Mill, NY 11976)
15)
Physician's and Surgeon's)
16 Certificate No. G23381)
Respondent.)
17)
18

19 Respondent Conrad Stephen Miller, M.D., and the Medical
20 Board of California, Division of Medical Quality, through its
21 counsel, Deputy Attorney General Robert C. Miller, do hereby
22 enter into the following stipulation:

23 1. Dixon Arnett, Executive Director of the Medical
24 Board of California (hereinafter "Board") filed accusation number
25 16-94-33589 solely in his official capacity.

26 2. On September 21, 1972, the Board issued Physician's
27 and Surgeon's Certificate number G23381 to Conrad Stephen Miller,

28 / / /

1 M.D. (hereinafter "respondent"). The certificate was in full
2 effect at all times pertinent herein.

3 3. Respondent has read and understands the charges
4 contained in the accusation. A copy of Accusation number
5 16-94-33589 is attached as Exhibit "1" and incorporated herein
6 by reference. Respondent understands that said charges, if
7 found to be true, constitute cause for disciplinary action.

8 4. Respondent understands that he has a right to a
9 hearing on the charges contained in the accusation; to be
10 represented by counsel, at his own expense, in all proceedings in
11 this matter; to confront and cross-examine the witnesses against
12 him; to present evidence on his own behalf and to the issuance of
13 subpoenas to compel the attendance of witnesses and the
14 production of documents; to reconsideration appeal of an adverse
15 decision; and to any and all rights accorded him pursuant to the
16 California Administrative Procedure Act and other applicable
17 laws. Respondent hereby freely, voluntarily, knowingly and
18 intelligently waives those rights and gives up each and every
19 right set forth above in order to enter into this stipulation as
20 a resolution of the pending accusation against him.

21 5. It is expressly understood by the parties that the
22 admissions made herein are for the purposes of this proceeding or
23 other proceeding before the Board and may not be used for any
24 other purpose.

25 6. Subject to the proviso in item 5 above, respondent
26 admits as true the allegations contained in paragraph 4 of
27 Accusation number 16-94-33589.

28 / / /

1 7. Based on the waivers and admissions made herein,
2 the Division of Medical Quality of the Board may issue the
3 following Disciplinary Order:

4 Physician's and Surgeon's Certificate number G23381,
5 issued to Conrad Stephen Miller, M.D., is hereby revoked.
6 However, revocation is stayed and respondent is placed on
7 probation for a period of two (2) years upon the following terms
8 and conditions:

9 (A) Within fifteen (15) days after the effective date
10 of this decision the respondent shall provide the Division, or
11 its designee, proof of service that respondent has served a true
12 copy of this decision on the Chief of Staff or the Chief
13 Executive Officer at every hospital where privileges or
14 membership are extended to respondent or where respondent is
15 employed to practice medicine and on the Chief Executive Officer
16 at every insurance carrier where malpractice insurance coverage
17 is extended to respondent.

18 (B) Within ninety (90) days of the effective date of
19 this decision, and on an annual basis thereafter, respondent
20 shall submit to the Division for its prior approval an
21 educational program or course to be designated by the Division,
22 which shall not be less than forty (40) hours per year, for each
23 year of probation. This program shall be in addition to the
24 Continuing Medical Education requirements for re-licensure.
25 Following the completion of each course, the Division or its
26 designee may administer an examination to test respondent's
27 knowledge of the course. Respondent shall provide proof of
28 attendance for sixty-five (65) hours of continuing medical

1 education of which forty (40) hours were in satisfaction of this
2 condition and were approved in advance by the Division or its
3 designee.

4 (C) Prior to commencing practice in California,
5 respondent shall take and pass an oral clinical exam in a subject
6 to be designated and administered by the Division, or its
7 designee. This examination shall be taken within sixty (60) days
8 after the effective date of this decision. If respondent fails
9 the first examination, respondent shall be allowed to take and
10 pass a second examination, which may consist of a written as well
11 as an oral examination. The waiting period between the first and
12 second examinations shall be at least three months. If
13 respondent fails to pass the first and second examinations,
14 respondent may take a third and final examination after waiting a
15 period of one year. Failure to pass the oral clinical
16 examination within eighteen (18) months after the effective date
17 of this decision shall constitute a violation of probation. The
18 respondent shall pay the costs of all examinations.

19 Respondent shall not practice medicine until respondent
20 has passed the required examination and has been so notified by
21 the Division or its designee in writing. This prohibition shall
22 not bar respondent from practicing in a clinical training program
23 approved by the Division, or its designee. Respondent's practice
24 of medicine shall be restricted only to that which is required by
25 the approved training program.

26 (D) Respondent shall obey all federal, state and local
27 laws and all rules governing the practice of medicine in

28 / / /

1 California and remain in full compliance with any court ordered
2 criminal probation, payments and other orders.

3 (E) Respondent shall submit quarterly declarations
4 under penalty of perjury on forms provided by the Division,
5 stating whether there has been compliance with all of the
6 conditions of probation.

7 (F) Respondent shall comply with the Division's
8 probation surveillance program. Respondent shall, at all times,
9 keep the Division informed of his addresses of business and
10 residence which shall both serve as addresses of record. Changes
11 of such addresses shall be immediately communicated in writing to
12 the Division. Under no circumstances shall a post office box
13 serve as an address of record.

14 Respondent shall also immediately inform the Division,
15 in writing, of any travel to any areas outside the jurisdiction
16 of California which lasts, or is contemplated to last, more than
17 thirty (30) days.

18 (G) Respondent shall appear in person for interviews
19 with the Division, its designee or its designated physician(s)
20 upon request at various intervals and with reasonable notice.

21 (H) In the event respondent should leave California to
22 reside or practice outside the State or for any reason should
23 respondent stop practicing medicine in California, respondent
24 must notify the Division in writing within ten (10) days of the
25 dates of departure and return or the dates of non-practice within
26 California. Non-practice is defined as any period of time
27 exceeding thirty (30) days in which respondent is not engaging in
28 any activities defined in sections 2051 and 2052 of the Business

1 and Professions Code. All time spent in an intensive training
2 program approved by the Division or its designee shall be
3 considered as time spent in the practice of medicine. Periods of
4 temporary or permanent residence or practice outside California
5 or of non-practice within California, as defined in this
6 condition, will not apply to the reduction of the probationary
7 period.

8 Any respondent disciplined under Business and
9 Professions Code section 2305 (sister-state discipline) may
10 petition for modification or termination of penalty (1) if the
11 other state's discipline terms are modified, terminated or
12 reduced; and (2) if at least one year has elapsed from the
13 effective date of the California discipline.

14 (I) Upon successful completion of probation,
15 respondent's certificate shall be fully restored.

16 (J) If respondent violates probation in any respect,
17 the Division, after giving notice and opportunity to be heard may
18 revoke probation and carry out the disciplinary order that was
19 stayed. If an accusation or petition to revoke probation is
20 filed against respondent during probation, the Division shall
21 have continuing jurisdiction until the matter is final, and the
22 period of probation shall be extended until the matter is final.

23 (K) Respondent is hereby ordered to reimburse the
24 Division the amount of five hundred thirty-five (\$535) dollars
25 within ninety (90) days from the effective date of this decision
26 for its investigative and prosecution costs. Failure to
27 reimburse the Division's cost of its investigation and
28 prosecution shall constitute a violation of the probation order,

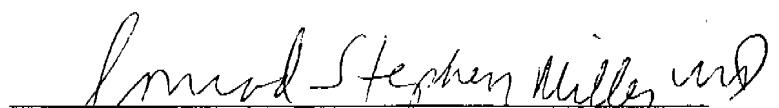
ATTN: PAT WILSON

1 unless the Division agrees in writing to payment by an
2 installment plan because of financial hardship. The filing of
3 bankruptcy by respondent shall not relieve respondent of his
4 responsibility to reimburse the Division for its investigative
5 and prosecution costs.

6 (L) Following the effective date of this decision, if
7 respondent ceases practicing due to retirement, health reasons or
8 is otherwise unable to satisfy the terms and conditions of
9 probation, respondent may voluntarily tender his certificate to
10 the Board. The Division reserves the right to evaluate
11 respondent's request and to exercise its discretion whether to
12 grant the request or to take any other action deemed appropriate
13 and reasonable under the circumstances. Upon formal acceptance
14 of the tendered license, respondent will no longer be subject to
15 the terms and conditions of probation.

16 8. Respondent may not withdraw this stipulation prior
17 to the Board's formal action on the stipulation. In the event
18 this stipulation is not adopted by the Board, it shall have no
19 force of effect on any party.

20 I hereby certify that I have read this Stipulation in
21 Settlement in its entirety, that I fully understand all of the
22 same and in witness thereof I affix my signature this 26th day
23 of September, 1995, at Southampton,
24 New York.

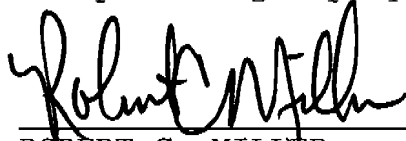
25 
26 CONRAD STEPHEN MILLER, M.D.
27 Respondent

28 / / /

1 The foregoing Stipulation in Settlement is hereby
2 respectfully submitted for consideration of the Division of
3 Medical Quality, Medical Board of California, Department of
4 Consumer Affairs.

5 DATED: 10/4/95

DANIEL E. LUNGREN, Attorney General
of the State of California
JANA L. TUTON
Supervising Deputy Attorney General



ROBERT C. MILLER
Deputy Attorney General

Attorneys for Complainant

EXHIBIT 1

1 DANIEL E. LUNGREN, Attorney General
of the State of California
2 JANA L. TUTON
Supervising Deputy Attorney General
3 ROBERT C. MILLER
Deputy Attorney General
4 1515 K Street, Suite 511
P. O. Box 944255
5 Sacramento, California 94244-2550
Telephone: (916) 324-5161
6

Attorneys for Complainant
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9 BEFORE THE
DIVISION OF MEDICAL QUALITY
10 MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
11 STATE OF CALIFORNIA

12 In the Matter of the Accusation) NO. 16-94-33589
Against:)

13 CONRAD STEPHEN MILLER, M.D.) ACCUSATION
14 P. O. Box 180 (RRI-470-1))
Water Mill, New York 11976)
15 California Physician and)
Surgeon Certificate)
16 No. G23381)

17 Respondent.)
18

19 Dixon Arnett, for causes for discipline, alleges:
20

21 1. Complainant Dixon Arnett makes and files this
22 accusation in his official capacity as Executive Director of the
23 Medical Board of California (hereinafter referred to as the
24 "Board").
25

26 2. On September 21, 1972, the Medical Board of
27 California issued physician and surgeon certificate number G23381

1 to Conrad Stephen Miller, M.D. The certificate will expire
2 November 30, 1994, unless renewed.

3
4 3. Under Business and Professions Code section 2234,
5 the Division of Medical Quality shall take action against any
6 licensee who is charged with unprofessional conduct.

7 Under Business and Professions Code section 2305, the
8 revocation, suspension, or other discipline by another state of a
9 license or certificate to practice medicine issued by the state
10 shall constitute unprofessional conduct against such licensee in
11 this state.

12 Under Business and Professions Code section 118(b), the
13 expiration of a license shall not deprive the Board of
14 jurisdiction to proceed with a disciplinary action during the
15 time within which the license may be renewed, restored, or
16 reinstated.

17 Under Business and Professions Code section 2428, a
18 license which has expired may be renewed any time within five
19 years after expiration.

20 Under Business and Professions Code section 125.3, the
21 Medical Board of California may request the administrative law
22 judge to direct a licensee found to have committed a violation
23 or violations of the licensing act to pay a sum not to exceed the
24 reasonable costs of the investigation and enforcement of the
25 case.

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1 4. Respondent has subjected his physician and surgeon
2 certificate to discipline under Business and Professions Code
3 section 2305 on the grounds of unprofessional conduct in that on
4 November 12, 1993, the State of New York, Department of Health,
5 Board of Professional Medical Conduct suspended respondent's
6 license to practice medicine in that state for one year. The
7 suspension was stayed and respondent was placed on probation for
8 two years with terms and conditions for gross negligence and for
9 failing to maintain a record for each patient which accurately
10 reflects the evaluation and treatment of the patient. Attached
11 as Exhibit A and incorporated by reference is the Order and
12 Application for Consent Order from the State of New York.

13

14 WHEREFORE, complainant prays a hearing be had and that
15 the Medical Board of California make its order:

16 1. Revoking or suspending physician and surgeon
17 certificate number G23381, issued to Conrad Stephen Miller, M.D.

18 2. Prohibiting Conrad Stephen Miller, M.D. from
19 supervising physician assistants.

20 3. Ordering Conrad Stephen Miller, M.D., to pay to the
21 Medical Board of California its costs for investigation and
22 enforcement according to proof at the hearing, pursuant to
23 Business and Professions Code section 125.3.

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27 //

1 4. Taking such other and further action as may be
2 deemed proper and appropriate.-----

3 DATED: November 23, 1994

4
5
6 

7 DIXON ARNETT
8 Executive Director
9 Medical Board of California
10 Department of Consumer Affairs
11 State of California

12 Complainant

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23 03573160-
24 SA94AD0502
25 (SM 10/5/94)
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27

EXHIBIT A

STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

-----X

IN THE MATTER :

OF :

CONRAD MILLER, M.D. :

ORDER
BPMC #93-181

-----X

Upon the application of CONRAD MILLER, M.D. (Respondent)
for Consent Order, which application is made a part hereof, it is

ORDERED, that the application and the provisions thereof
are hereby adopted and so ORDERED, and it is further

ORDERED, that this order shall take effect as of the
date of the personal service of this order upon Respondent, upon
receipt by Respondent of this order via certified mail, or seven
days after mailing of this order by certified mail, whichever is
earliest.

SO ORDERED,

DATED:

8 November 1993

Charles J. Vacanti

Charles J. Vacanti, M.D.
Chairperson
State Board for Professional
Medical Conduct

STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

-----X
IN THE MATTER : APPLICATION
OF : FOR
CONRAD MILLER, M.D. : CONSENT
: ORDER
-----X

STATE OF NEW YORK)
COUNTY OF SUFFOLK) ss.:

CONRAD MILLER, M.D., being duly sworn, deposes and says:

On or about July 1, 1972, I was authorized to practice medicine in the State of New York, having been issued License No. 112445 by the New York State Education Department.

I am currently registered with the New York State Education Department to practice in the State of New York for the period January 1, 1993 through December 31, 1994.

I understand that the New York State Board for Professional Medical Conduct has charged me with four Specification of professional misconduct.

A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as Exhibit "A".

I admit guilt to Specification One, Three and Four in full satisfactions of the charges against me.

I hereby agree to the following penalty:


- a. A one year suspension of my license to practice medicine, such suspension to be stayed.
- b. I shall be placed on probation for a period of two years subject to the Terms of Probation attached hereto as Exhibit "B".

I hereby make this Application to the State Board for Professional Medical Conduct (the Board) and request that it be granted.

I understand that, in the event that this Application is not granted by the Board, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me, such Application shall not be used against me in any way and shall be kept in strict confidence during the pendency of the professional misconduct disciplinary proceeding; and such denial by the Board shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by the Board pursuant to the provisions of the Public Health Law.

I agree that, in the event the Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same.

I am making this Application of my own free will and accord
and not under duress, compulsion or restraint of any kind or
manner.


CONRAD MILLER, M.D.
RESPONDENT

Sworn to before me this
10 day of *April*, 1993.



NOTARY PUBLIC

5011505 4/15/95

STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

-----X
IN THE MATTER

OF

CONRAD MILLER, M.D.
-----X

: APPLICATION
:
: FOR
:
: CONSENT
:
: ORDER
-----X

The undersigned agree to the attached application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

Date:

10/16/93

Conrad Miller
CONRAD MILLER, M.D.
RESPONDENT

Date:

10/15/93

Anthony J. Scher
ANTHONY SCHER, ESQ.
ATTORNEY FOR RESPONDENT

Date:

10/21/93

Daniel Guenzburger
DANIEL GUENZBURGER
ASSISTANT COUNSEL
BUREAU OF PROFESSIONAL
MEDICAL CONDUCT

Date: Nov. 3, 1993

Kathleen M. Tanner

KATHLEEN M. TANNER
DIRECTOR
OFFICE OF PROFESSIONAL
MEDICAL CONDUCT

Date: 1 November, 1993

Charles J. Vacanti

CHARLES J. VACANTI, M.D.
CHAIRPERSON
STATE BOARD FOR
PROFESSIONAL MEDICAL CONDUCT

"EXHIBIT A"

STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

-----X

IN THE MATTER	:	STATEMENT
OF	:	OF
CONRAD MILLER, M.D.	:	CHARGES

-----X

CONRAD MILLER, M.D., the Respondent, was authorized to practice medicine in New York State on July 1, 1972 by the issuance of license number 112445 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine for the period January 1, 1993 to December 31, 1994 at P.O. Box 1801, Watermill, New York 11976.

FACTUAL ALLEGATIONS

- A. Respondent treated Patient A, a 71 year old female, at the emergency department of Southside Hospital, Bayshore, New York, on or about January 1, 1990. The identity of Patient A is set forth in the Appendix.

Patient A complained of burning chest pain and pain on the right side of her back. Respondent ordered a chest x-ray, CBC, SMA-6, CBC, Amylase, PT, PTT, cardiac enzyme, pulse oxygen test, and an EKG. The Respondent did not describe

the EKG or note an interpretation. The EKG indicated anterior wall myocardial infarction of unknown age, inferolateral wall ischemia, and fusion beats versus competing accelerated idioventricular rhythm. Respondent noted as his diagnosis "probable gastritis, costochondritis, r/o very mild congestive heart failure."

Respondent treated Patient A in the emergency room with nasal oxygen, Lasix, 20 mg., P.O., Tylenol, and Mylanta. He discharged Patient A with instructions to take Advil and an antacid and to see a physician in the morning.

Patient A returned to Southside Hospital emergency department on or about January 3, 1990 with the same complaints of chest and back pain. Respondent treated Patient A in the emergency room with nitroglycerin and admitted her to the hospital. Patient A's EKG at the time of admission showed acute anterior wall ST elevations, poor R-wave progression, and inferolateral ischemic changes. The cardiac consultant diagnosed recent anterior myocardial infarction. On or about January 4, 1990 Patient A went into cardiac arrest and died.

Respondent's care and treatment of Patient A on or about January 1, 1990 at the emergency room deviated from acceptable medical standards in that:

1. Respondent failed to take an adequate past medical history and adequate history of Patient A's presenting complaints and symptoms.
2. Respondent failed to record a description of the EKG, note an interpretation of the test, and appropriately follow-up on an abnormal EKG result.
3. Respondent failed to appropriately diagnose Patient A's condition.
4. Respondent failed to order the admission of Patient A to the hospital.
5. Respondent prescribed Lasix, Mylanta, and Tylenol without adequate indication.
6. Respondent failed to document Patient A's response to the medications he prescribed in the emergency room.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

GROSS NEGLIGENCE

Respondent is charged with professional misconduct by reason of practicing the profession of medicine with gross negligence on a particular occasion within the meaning of N.Y. Educ. Law Section 6530(4) (McKinney Supp. 1993), in that Petitioner charges:

1. The facts in Paragraphs A and A1, A2, A3, A4, A/5 and/or A6.

SECOND SPECIFICATION

GROSS INCOMPETENCE

Respondent is charged with professional misconduct by reason of practicing the profession of medicine with gross incompetence within the meaning of N.Y. Educ. Law Section 6530(6) (McKinney Supp. 1993), in that the Petitioner charges:

2. The facts in Paragraphs A and A1, A2, A3, A4, A5, and/or A6.

THIRD AND FOURTH SPECIFICATIONS

FAILING TO MAINTAIN AN ADEQUATE RECORD

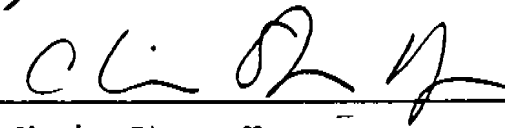
Respondent is charged with professional misconduct pursuant to N.Y. Educ. Law Section 6530(32) (McKinney Supp. 1993), by failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient, in that Petitioner charges:

3. The facts in Paragraphs A and A2.

4. The facts in Paragraphs A and A6.

DATED: New York, New York

September 22, 1997



Chris Stern Hyman
Counsel
Bureau of Professional
Medical Conduct

EXHIBIT "B"

TERMS OF PROBATION

- a. CONRAD MILLER, M.D., during the period of probation, shall conduct himself in all ways in a manner befitting his professional status, and shall conform fully to the moral and professional standards of conduct imposed by law and by his profession;
- b. That Respondent shall submit written notification to the New York State Department of Health (NYSDOH), addressed to the Director, Office of Professional Medical Conduct, New York State Health Department, Corning Tower Building, 4th Floor, Empire State Plaza Albany, New York 12237 of any employment and practice, of Respondent's residence and telephone number, of any change in Respondent's employment, practice, residence, or telephone number within or without the State of New York;
- c. Respondent shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that Respondent has paid all registration fees due and owing to the NYSED and Respondent shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees, said proof from DPLS to be submitted by Respondent to the New York State Department of Health, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, no later than the first three months of the period of probation;
- d. Respondent shall submit written proof to the NYSDOH, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, that 1) Respondent is currently registered with the NYSED, unless Respondent submits written proof that Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of Respondent's profession in the State of New York and does not desire to register, and that 2) Respondent has paid any fines which may have previously been imposed upon Respondent by the Board or by the Board of Regents; said proof of the above to be submitted no later than the first two months of the period of probation;
- e. Respondent shall comply with all terms, conditions, restrictions, and penalties to which he is subject pursuant to the order of the Board;

- f. At Respondent's expense, Respondent shall complete during the period of probation two one week sessions of the emergency medicine review course offered by the Ohio chapter of the American College of Emergency Physicians in Dublin, Ohio.
- g. During the period of suspension, the Director of the Office of Professional Medical Conduct or her designee, may review the professional performance of the Respondent. This review may include but not be limited to a random selection of office records, patient records or hospital charts, interviews with or periodic visits with the Respondent at his or her office location or one of the offices of the Office of Professional Medical Conduct.
- h. The Respondent will make available for review by the Office of Professional Medical Conduct, or a physician selected by the Respondent and approved by the Office of Professional Medical Conduct, complete copies of any and all medical and office records selected by the Office of Professional Medical Conduct.
- i. Any deviation from accepted medical practice identified during any of the reviews will be discussed with the Respondent. Any pattern of substandard care identified during the probation period may result in an independent medical review and could lead to additional investigation or charges.
- j. Respondent will maintain legible and complete medical records which accurately reflect evaluation and treatment of patients. Records will contain a comprehensive history, physical examination findings, chief complaint, present illness, diagnosis and treatment. In cases of prescribing, dispensing, or administering of controlled substances, the medical record will contain all information required by state rules and regulations regarding controlled substances.
- k. So long as there is full compliance with every term herein set forth, Respondent may continue to practice his or her aforementioned profession in accordance with the terms of probation; provided, however, that upon receipt of evidence of noncompliance with, or any violation of these terms, the Director of the Office of Professional Medical Conduct and/or the Board may initiate a violation of probation proceeding and/or such other proceeding against Respondent as may be authorized pursuant to the Public Health Law.